

**FIVE JUDGES
FOR
NEW
MUNICIPAL
COURT
SELECTED**

L. F. McClelland, E. D.

Thomas, J. B. Ridley,
T. O.

Hathcock and Luther
Ros-

ser, Jr., Are
Recommended

GOVERNOR WILL MAKE
FORMAL
APPOINTMENT

Officials to Succeed
Justices

of Peace Chosen by
Supe-

rior Court Judges From Fifty Applicants

The five judges of Atlanta's new municipal court will be:

L. F. McClelland, E. D. Thomas, J. B. Ridley, T. O. Hathcock and Luther Rosser, Jr.

They were chosen from among fifty applicants by the four judges of the Atlanta superior court. The circuit judges met yesterday afternoon and determined on these five municipal court judges whom they will recommend to Governor Slaton for appointment.

Their recommendation will reach the governor Monday and the appointment probably will be made that day. Only the power to recommend lies with the superior court judges, but the appointments will be made from the candidates whom they have chosen.

One of the five municipal judges will be selected as chief judge of the court. The selection, in this instance, as well as the appointment, will be made by Governor Slaton.

SALARIES OF JUDGES.

The salary of the leading of the leading judge of the municipal court will be \$3,600 a year. That of the other four judges will be \$3,000 a year.

A chief clerk, a deputy clerk, a marshal, and several deputy marshals will compose the attaches of the court.

The chief judge and chief clerk will take office at once to prepare for the last session of the court, which will be held in January. The first of the new year all judges of the municipal court will take office and the new court will go into effect, while all justice courts in Atlanta will go out of existence.

This change is authorized by an act bill passed at the last session of the Georgia legislature. A similar bill, applying to Macon, was passed at that session of the assembly, but the justice courts in no other cities in Georgia were affected. Atlanta and Macon were alone in seeking from the legislature measures substituting municipal courts for justice of the peace courts.

SUCCEED THE JUSTICES.

The municipal court in Atlanta will try all cases which heretofore have been heard by justice of the peace. It is thought all five judges will have offices in the new courthouse building, but they will hear cases separately and not as judges of the supreme court or court of appeals, where the whole court sits in judgement on all cases.

Where, however, an appeal is made from the ruling of any one judge, the chief judge shall call the other judges into a "court in bank," a session at which all five judges of the court sit to decide whether an appeal shall be allowed. If the plaintiff remains dissatisfied he may carry his case from this "court in bank" to a higher court.

The chief judge shall direct the preparation of the docket of the court and shall distribute cases for trial among the four other judges.

INSERT ONE JUSTICE NAMED.

An interesting fact in connection with the appointment is that only one of the present justices of the peace, James B. Ridley,

has been named a municipal court judge, and the fact is considered an unusual tribute to his record.

The establishment of the new court on the first of the year means that practically all of the justice courts in the city will be abolished, and among the officials who will automatically lose their positions are Justice Edgar H. Orr, the oldest justice in point of years in the county and probably in the state; Judge F. M. Powers, Judge Charles H. Girardeau, Judge O. H. Puckett, Judge W. T. Jordan and several others.

While the clerk and the marshal will be appointed by the municipal court judges themselves the races for these positions are already on. T.M. Miller, present deputy clerk of the superior court, is looked upon as a likely candidate for the position of clerk, while Newton A. Garner, at present an efficient attache of the solicitor general's office, is running a strong race for the marshal's place. The clerk will be allowed one assistant and the number of deputy marshals will be determined by the court.

INCREASED JURISDICTION.

The municipal court will have jurisdiction in all suits for amounts up to \$500, while the jurisdiction of the justice courts was for amounts not exceeding \$100. As a result of the increased jurisdiction, it is expected that the new court will "cut into" the business of the clerk of the superior court to a considerable extent, and this is expected to result in the decreasing of the force of Clerk Arnold Broyles. It will decrease the revenue of the sheriff's office as well and it is probable that at the first of the year some of the deputies or attaches of that office will be without positions.

The act creating the municipal court requires that only practicing attorneys be appointed to the bench. A number of the justices of the peace of past years had little or no legal training.

Judges of the Atlanta circuit who met yesterday afternoon and decided on the five candidates whom they shall recommend

to Governor Slaton for appointment, are Judge John T. Pendleton, Judge W. D. Ellis, Judge George EL. Bell and Judge B. H. Hill.

PDF PAGE 1, COLUMN 6

JUDGES SWORN IN BY GOVERNOR SLATON

Judges Roan, Hill and
Reid,
and Solicitor Napier
Take

Oath of Office

Governor John M. Slaton Saturday administered the oath of office to Judge L. S. Roan as judge of the Court of Appeals; to Judge Ben Hill, as judge of the Fulton Superior court; to Judge C. S. Reid, who will go on the bench for the Stone Mountain circuit, and to George Napier, the new solicitor of the Stone Mountain circuit.

The ceremony took place in the governor's reception room, at the capitol, at 4:30 o'clock, a number of friends being present. Judge Roan first took the oath of office, and signed his name in the record book, Governor Slaton signing after him.

Judge Hill next, for the third time, took the oath of office, and after him Judge Reid was sworn in. George Napier next took the solicitor's oath.

Judge Reid used a Bible which he himself brought, and took the oath of office with his hand resting on the limp leather volume which his daughter, Miss Katharine Reid, handed to him as he stepped forward to the table. When the governor signed his name in the book of record, Judge Reid asked for an additional signature in the Bible, which he will keep as a memento of the occasion. The judge made a brief address, thanking the governor and pledging honorable service.

Judge Roan received his commission as judge of the court of appeals on the eleventh anniversary of the date on which he received his commission as a superior court judge, and this feature was recalled by the friends who offered felicitations.

Judge Ben Hill, who will open court in his new position Monday, has twice before received a judge's commission from the governor. He will charge the grand jury for the first time Monday, and will also deliver his first charge to a trial jury Monday.

Judge Hill's resignation as judge of the court of appeals was handed to the governor Saturday. Judge Reid, who succeeds Judge Roan, wrote out the latter's resignation for him to sign, and Solicitor Napier, who succeeds Judge Reid, wrote out Judge Reid's resignation.

LEO FRANK'S
FATE

NOW RESTS
WITH

SUPREME
COURT

Judge Roan Ends
Connection

With Case by
Affixing Sig-

nature to Attorney's
Bill of
Exceptions.

DECISION NOT
PROBABLE

FOR SEVERAL
MONTHS

Judge's Statement of
Uncer-

tainty as to Guilt
Goes in

Record Over Protest of Solicitor

When Judge L. S. Roan affixed his signature Saturday afternoon to the bill of exceptions taken by the attorneys for Leo M. Frank to his action in refusing their clients motion for a new trial, he ended his connection with his famous case and transferred Frank's fate into the hands of the state supreme court.

In the face of the protest of Solicitor Dorsey, Judge Roan allowed his statement of uncertainty as to Frank's guilt, made Friday morning when he overruled his motion for a new trial, to go into the bill of exceptions.

All four of Frank's attorneys, Luther Z. Rosser, Reuben Haas, have publicly declared their profound belief in his innocence and their determination to fight to the last ditch in his behalf. It is because of their declaration that speculation is indulged as to the possible court the case may take through the courts. Such speculation applies only in the event the supreme court should affirm the judgement of the lower court.

Few persons witnessed the signing of the bill of exceptions, which took place in Judge Roan's chambers at 4 o'clock Saturday afternoon. The judge, Attorney's Rosser and Arnold, Solicitor Dorsey, a few court attaches and the newspaper reporters were the only persons present.

Immediately after the affixing of the judge's signature to the document, the

(Continued on Page 2, Col. 2.)

PDF PAGE 2, COLUMN 2

**LEO FRANK'S FATE
NOW RESTS
WITH
SUPREME
COURT**

(Continued From Page 1.)

Group, with the exception of Attorneys Rosser and Arnold, adjourned to the capitol to witness Judge Roan take the oath as a member of the state court of appeals.

Warrant for Aaron

In Justice

Court

Samuel Aaron, the maker of one of the most sensational of the affidavits charging A. H. Henslee, Frank juror, with prejudice has been placed under a \$500 bond to answer a charge of larceny after trust before Justice of the Peace C. H. Giradeau on Tuesday afternoon.

The warrant against Aaron was sworn out by a Jacksonville near beer dealer who is represented by Attorney Albert Mayer. The charge is said to have grown out of a business transaction.